

**A SUBSTITUTE RESOLUTION
BY FINANCE/ EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO TRIZECHAHN MIDTOWN, LLC IN AN AMOUNT NOT TO EXCEED FOURTEEN THOUSAND NINE HUNDRED THIRTY SIX DOLLARS AND SIXTY-SEVEN CENTS (\$14,936.67) FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 1001 (GENERAL FUND) 100501 (DOF REVENUE AND COLLECTIONS) 5730012 (REFUNDS); AND FOR OTHER PURPOSES.

WHEREAS, Trizechahn Midtown, LLC ("Trizechahn Midtown") closed its business in 2007 and has requested a refund in the amount of Fourteen Thousand Nine Hundred Thirty-Six Dollars and Sixty-Seven Cents (\$14,936.67) for an overpayment of business license fees in 2005 and 2006; and

WHEREAS, Trizechahn Midtown has submitted supporting documents to the Office of Revenue to substantiate its claim; and

WHEREAS, the Office of Revenue investigated the claim and has determined that Trizechahn Midtown is entitled to a refund in an amount not to exceed Fourteen Thousand Nine Hundred Thirty-Six Dollars and Sixty-Seven Cents (\$14,936.67), for overpayment of business license fees due to the business closing.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Chief Financial Officer is hereby directed to issue a refund to Trizechahn Midtown in an amount not to exceed Fourteen Thousand Nine Hundred Thirty-Six Dollars and Sixty-Seven Cents (\$14,936.67) for an overpayment of business license fees to the City of Atlanta in 2005 and 2006.

BE IT FURTHER RESOLVED, that said refund shall be charged to and paid from Fund, Department Organization and Account number 1001 (General Fund) 100501 (DOF Revenue and Collections) 5730012 (Refunds).

**A RESOLUTION
BY FINANCE/ EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO TRIZECHAHN MIDTOWNIN AN AMOUNT NOT TO EXCEED FOURTEEN THOUSAND NINE HUNDRED THIRTY SIX DOLLARS AND SIXTY-SEVEN CENTS (\$14,936.67) FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 1001 (GENERAL FUND) 100501 (DOF REVENUE AND COLLECTIONS) 1515000 (TREASURY); AND FOR OTHER PURPOSES.

WHEREAS, Trizechahn Midtown, LLC (“Trizechahn Midtown”) has closed its business in 2007 and has requested a refund in the amount of Fourteen Thousand Nine Hundred Thirty-Six Dollars and Sixty-Seven Cents (\$14,936.67) for an overpayment of business license fees in 2005 and 2006; and

WHEREAS, Trizechahn Midtown has submitted supporting documents to the Office of Revenue to substantiate its claim; and

WHEREAS, the Office of Revenue investigated the claim and has determined that Trizechahn Midtown is entitled to a refund in an amount not to exceed Fourteen Thousand Nine Hundred Thirty-Six Dollars and Sixty-Seven Cents (\$14,936.67), for erroneously reporting and paying business license fees on revenue generated outside the State of Georgia.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Chief Financial Officer is hereby directed to issue a refund to Trizechahn Midtown in an amount not to exceed Fourteen Thousand Nine Hundred Thirty-Six Dollars and Sixty-Seven Cents (\$14,936.67) for an overpayment of business license fees to the City of Atlanta in 2005 and 2006.

BE IT FURTHER RESOLVED, that said refund shall be charged to and paid from Fund, Department Organization and Account number 1001 (General Fund) 100501 (DOF Revenue and Collections) 1515000 (Treasury).

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/Executive

Caption: A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO TRIZECHAHN MIDTOWNIN AN AMOUNT NOT TO EXCEED FOURTEEN THOUSAND NINE HUNDRED THIRTY SIX DOLLARS AND SIXTY-SEVEN CENTS (\$14,936.67) FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 1001 (GENERAL FUND) 100501 (DOF REVENUE AND COLLECTIONS) 1515000 (TREASURY); AND FOR OTHER PURPOSES.

Council Meeting Date: 08/18/08

Requesting Dept.: Finance

FAC Confirmed by:

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to refund the overpayment of business license fees.

2. Please provide background information regarding this legislation.

Trizechahn Midtown GA, closed their business in 2007 and is requesting a refund for the overpayment of license fees in the amount of \$14,936.67

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:** NA

(c) **Bids/Proposals Due:** NA

- (d) Invitations Issued: NA
- (e) Number of Bids: NA
- (f) Proposals Received: NA
- (g) Bidders/Proponents: NA
- (h) Term of Contract: NA

4. **Fund Account Center (Ex. Name and number):** General Fund-1001/DOF Revenue & Collections-100501/Function Activity-1515000 Treasury

Fund: _____ Account: _____ Center: _____

5. **Source of Funds:** *Example: Local Assistance Grant*

6. **Fiscal Impact:** This legislation will result in a reduction in the amount of \$14,936.67 to the General Fund-1001/DOF Revenue & Collections-100501/Function Activity-1515000 Treasury

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. **Method of Cost Recovery:** NA

Examples:

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Alice Hughes, Finance Dept. Ext.1973, submitted by LaShawn Gardiner, ext. 6449

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: LaShawn Gardiner _____

Contact Number: 404-330-6449


Originating Department: Department of Finance

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: July 16, 2008

Anticipated Committee Meeting Date(s): July 29-30, 2008

Anticipated Full Council Date: August 18, 2008

Legislative Counsel's Signature: 

Commissioner Signature: 


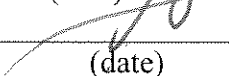
Chief Procurement Officer Signature: _____

CAPTION A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO TRIZECHAHN MIDTOWNIN AN AMOUNT NOT TO EXCEED FOURTEEN THOUSAND NINE HUNDRED THIRTY SIX DOLLARS AND SIXTY-SEVEN CENTS (\$14,936.67) FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 1001 (GENERAL FUND) 100501 (DOF REVENUE AND COLLECTIONS) 1515000 (TREASURY); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): **\$14,936.67**

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 7.9.08  Reviewed by: 
(date) (date)

Submitted to Council: _____
(date)